THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.12506 of 2007

Date: 15.06.2007

Between:

A.P. Public Health & Medical Employees Union, Warangal.

....Petitioner

and

The Director of Health and another.

....Respondents

O R D E R:

The petitioner is an association of employees. It intends to challenge the proceedings, dated 26.05.2007, issued by the first respondent, through which, steps are being taken in relation to pensionary benefits of a retired employee, by name Smt.M.Lakshmi Kumari. Challenge is also being made to the proceedings, dated 31.03.2007, through which, the period of absence of the said employee is sought to be treated as dies-non.

The learned counsel for the petitioner had made extensive submissions. His main attack is as to the nature of exercise of powers by the first respondent, which, according to him, would cost the public exchequer a lot.

The learned Government Pleader for Medical & Health takes serious objection as to the maintainability of the writ petition.

Whatever be the grounds of challenge, the subject matter of the writ petition is the proceedings in relation to the service matter of a retired employee. The challenge to such proceedings can be made only by instituting proceedings before the A.P. Administrative Tribunal, even if they are by persons unconnected with the employment.

Hence, the writ petition is dismissed, leaving it open to the petitioner to pursue its remedies in a proper forum. There shall be no order as to costs.

_____

15.06.2007

Note: Issue cc by Monday.
(B/o)
kdl